



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## COUNCIL COMMUNICATION

TO : City Council

FROM: City Manager


MEETING DATE: January 21, 1987

AGENDA TITLE: Public Hearing to Accept Cost of Construction Report and Hear Objections From Property Owners Liable to be Assessed for Installation of Sidewalks at 748 and 840 S. Stockton Street

**RECOMMENDED ACTION:** That the City Council receive and confirm the attached Cost of Construction Report and hear objections or protests from property owners liable to be assessed for the cost of such construction.

**BACKGROUND INFORMATION:** At the time the Stockton Street, Vine Street to Fokay Street, project was constructed, 14 property owners were given notice to construct sidewalk where none existed. All but two of the property owners installed the required sidewalk. After the time prescribed in the Streets and Highways Code, the City notified its contractor to do that work. The work has been completed and the Code requires that the legislative body set a time and place to hear the report and any objections which may be raised by the property owners who are liable for the construction.

After the Cost of Construction Report is confirmed by the Council, the property owners will be billed. If the bill is not paid within five days, the Council may, pursuant to Section 5893 of the Streets and Highways Code, order the notice of lien turned over to the Tax Collector to be collected with the other property taxes.

  
Bob L. Wonsko, Director  
Public Works

JLR/SB/ma

Attachment

cc: Property Owner, 748 S. Stockton Street  
Property Owner, 840 S. Stockton Street

APPROVED:

  
THOMAS A. PETERSON, City Manager

FILE Y0.

LEGAL NOTICE

NOTICE OF PUBLIC HEARING BY THE LODI CITY COUNCIL  
CALLED PURSUANT TO THE STATE OF CALIFORNIA  
STREETS AND HIGHWAY CODE TO RECEIVE THE COST  
OF CONSTRUCTION REPORT AND TO HEAR OBJECTIONS OR  
PROTESTS FROM PROPERTY OWNERS LIABLE TO BE ASSESSED  
FOR THE COST OF SUCH CONSTRUCTION AT 748 AND 840  
SOUTH STOCKTON STREET, LODI

WHEREAS, the State of California Streets and Highway Code provides that the City Council set a Public Hearing to accept the Cost of Construction Report and to hear objections or protests from property owners liable to be assessed for the cost of such construction at 748 and 840 South Stockton Street, Lodi.

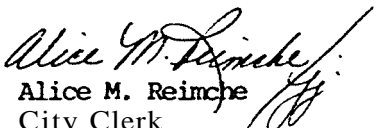
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lodi does hereby set a public hearing to accept the Cost of Construction Report and to hear objections or protests from property Owners liable to be assessed for the cost of such construction at 748 and 840 South Stockton Street, Lodi, to be held at 7:30 p.m. on Wednesday, January 21, 1987 in the Chambers of the Lodi City council at 221 West Pine Street, Lodi, California.

Information regarding this matter may be obtained in the office of the City Clerk at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views regarding this matter.

If you challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the Public Hearing.

Dated: January 7, 1987

By Order of the Lodi City Council

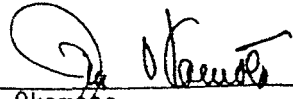
  
Alice M. Reimche  
City Clerk

DECLARATION OF POSTING

On January 9, 1987, in the City of Lodi, San Joaquin County, California, I, Jin Okamoto, Engineering Technician Supervisor of the City of Lodi, served a copy of the attached notices by posting copies upon the premises at 748 S. Stockton Street, Lodi, California, and 840 S. Stockton Street, Lodi, California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 12, 1987, at Lodi, California.

  
Jin Okamoto

DECLARATION OF MAILING


On January 9, 1987, in the City of Lodi, San Joaquin County, California, I, Monique Allman, Department Secretary of the City of Lodi, served a copy of the attached notices by mailing copies in the United States mail, postage prepaid, addressed to:

Pedro and Adela Cahue  
748 S. Stockton Street  
Lodi, CA 95240

David Gutierrez  
402 Felton Street  
Stockton, CA 95207

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 12, 1987, at Lodi, California.

  
Monique Allman

PROOF OF PUBLI ON

(2015.3 C.C.P.)

STATE OF CALIFORNIA,

County of San Joaquin.

I am a citizen of the United States and a resident of the County aforesaid I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily, except Sundays and holidays, in the City of Lodi, California, County of San Joaquin, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953, Case Number 65990; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

January 10,

all in the year 19 87

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 10th day of

January

19 87

*Jan Battilena*  
Signature

This space for the County Clerk's Filing Stamp

RECEIVED

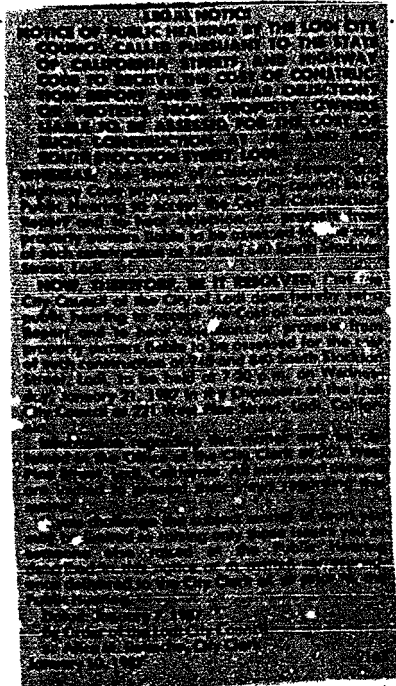
1987 JAN 12 PM 12:31

ALICE M. REINICHE  
CITY CLERK  
CITY OF LODI

Proof of Publication of

Legal Notice

Notice or Public Hearing



PROOF OF PUBLICATION

CITY COUNCIL

FRED M. REID Mayor  
EVELYN M. OLSON  
Mayor Pro Tempore  
DAVID M. HINCHMAN  
JAMES W. PINKERTON, Jr.  
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1510  
(209) 334-5634

THOMAS A. PETERSON  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

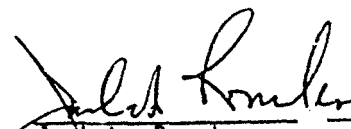
NOTICE OF COST OF CONSTRUCTION

Pedro and Adela Cahue  
748 S. Stockton Street  
Lodi, CA 95240

YOU ARE NOTIFIED that I caused sidewalk to be constructed in front of your property at 748 S. Stockton Street, Lodi, California, and filed my report of the cost of this work with the City Council of the City of Lodi by filing it in the office of the City Clerk;

YOU ARE FURTHER NOTIFIED that the City Council of the City of Lodi will meet in the Council Chambers at City Hall, 221 W. Pine Street, Lodi, California, at 7:30 p.m., on Wednesday, January 21, 1987, to hear and pass upon this report, together with any objections or protests which may be raised by property owners liable to be assessed for the cost of such construction and other interested persons,

Dated : JAN 8 1987

  
Jack L. Ronsko  
Superintendent of Streets  
City of Lodi

CITY COUNCIL

FRED M. REID, Mayor  
EVELYN M. OLSON  
Mayor Pro Tempore  
DAVID M. HINCHMAN  
JAMES W. PINKERTON, Jr.  
JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634

THOMAS A. PETERSON  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

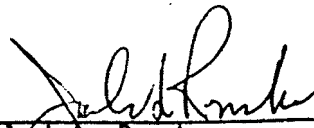
## NOTICE OF COST OF CONSTRUCTION

David Gutierrez  
402 Felton Street  
Stockton, CA 95207

YOU ARE NOTIFIED that I caused sidewalk to be constructed in front of your property at 840 S. Stockton Street, Lodi, California, and filed my report of the cost of this work with the City Council of the City of Lodi by filing it in the office of the City Clerk;

YOU ARE FURTHER NOTIFIED that the City Council of the City of Lodi will meet in the Council Chambers at City Hall, 221 W. Pine Street, Lodi, California, at 7:30 p.m., on Wednesday, January 21, 1987, to hear and pass upon this report, together with any objections or protests which may be raised by property owners liable to be assessed for the cost of such construction and other interested persons.

Dated: JAN 8 1987

  
\_\_\_\_\_  
Jack L. Ronsko  
Superintendent of Streets  
City of Lodi

RESOLUTION NO. 87-20

A RESOLUTION OF THE LODI CITY COUNCIL  
CONFIRMING THE COST OF CONSTRUCTION REPORT FOR SIDEWALK  
CONSTRUCTION AT 748 AND 840 SOUTH STOCKTON STREET, LODI, CALIFORNIA

WHEREAS, the State of California Streets and Highways Code Section 5616 et seq. provides that the City Council set a public hearing to hear and pass upon the Cost of Construction Report filed with the City Council for sidewalk construction, and to hear objections or Protests from property owners liable to be assessed for the cost of such construction at 748 and 840 South Stockton Street, Lodi, California; and

WHEREAS, on January 21, 1987, a public hearing was held to hear and pass upon the Cost of Construction Report and to hear objections or protests from property owners liable to be assessed for the cost of such construction at 748 and 840 South Stockton Street, Lodi, California; and

WHEREAS, no objections or protests were raised by the property owners liable to be assessed for the work of making such repair, and any other interested persons; and

WHEREAS said Streets and Highways Code provides that the property owner be given a five-day period after confirmation of the cost by the City Council in which to pay the assessment;

NOW, THEREFORE, BE IT RESOLVED that the Cost of Construction Report is confirmed by the Lodi City Council.

Dated: January 21, 1987

I hereby certify that Resolution No. 87-20 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 21, 1987 by the following vote:

Ayes: Council Members - Olson, Pinkerton, Hinchman, Snider,  
and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

  
Alice M. Reinche  
City Clerk